

**NOS. PD-108-20 & PD-109-20**

**BRADLEY JACOBS SHUMWAY**      § **IN THE TEXAS COURT OF**  
   § **COURT OF CRIMINAL APPEALS**  
**V.**     § **9/11/2020**  
   § **CRIMINAL APPEALS,**  
   § **DEANA WILLIAMSON, CLERK**  
**THE STATE OF TEXAS**           § **AT AUSTIN, TEXAS**

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**STATE'S MOTION FOR  
EXTENSION OF TIME TO FILE BRIEF**

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**TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL  
APPEALS:**

The State of Texas respectfully requests that the Court grant the State an extension of time to file its brief on the merits in the above-captioned case. The State would respectfully show the Court the following:

1. On May 18, 2018, a jury found the appellant guilty of two counts of indecency with a child, and the trial court assessed his punishment at consecutive twenty-year terms of imprisonment.
2. The appellant filed his notice of appeal on May 18, 2018.
3. The Court of Appeals for the Ninth District affirmed the judgments of conviction on January 8, 2020.
4. This Court granted the appellant's petition for discretionary review on July 1, 2020.

5. The appellant filed his brief on the merits in this Court on August 18, 2020.
6. The State's brief is due to be filed in this Court on September 14, 2020.
7. The State has not previously requested an extension of time to file its brief in this Court.
8. The State hereby requests a 29-day extension of time to file its brief, until October 16, 2020.
9. Good cause exists for the requested extension of time, for the following reasons:

The undersigned counsel for the State serves as the chief of the district attorney's Legal Services Bureau and as special counsel to the district attorney, and has been required to attend to numerous legal, administrative and supervisory duties pursuant to those assignments.

In addition, the undersigned counsel serves as a member of the district attorney's executive committee, which is responsible for the day-to-day operations of the district attorney's office. The current Covid-19 pandemic has created significant difficulties in the ongoing prosecution of criminal cases, requiring attention and effort on the part of the undersigned counsel.

Consequently, undersigned counsel has not had sufficient time to prepare an adequate State's brief in this case.

THEREFORE, the State requests an extension of time to file its brief until October 16, 2020, in this case.

Respectfully submitted,

BRETT W. LIGON  
District Attorney  
Montgomery County, Texas

/s/ William J. Delmore III  
WILLIAM J. DELMORE III  
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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing motion is being sent by e-mail to the office of the State Prosecuting Attorney and to Richard Martin P. Canlas, attorney for the appellant, at richard@attorneycanlas.com, on the date of the filing of the original with the Clerk of this Court.

/s/ William J. Delmore III  
WILLIAM J. DELMORE III  
Assistant District Attorney  
Montgomery County, Texas

### **Automated Certificate of eService**

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